



**FAIR POLITICAL PRACTICES COMMISSION**

428 J Street • Suite 620 • Sacramento, CA 95814-2329

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July 27, 2010

James L. Porter, Jr.

✓ Steven C. Gross

o/b/o Larry Sevison

**REDACTED**

**Re: In the Matter of Larry Sevison  
FPPC No. 10/498**

Dear Mr. Porter and Mr. Gross:

The Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act (the "Act")<sup>1</sup> found in California Government Code Section 81000 and following. In May 2010, the Commission received an anonymous telephone complaint alleging violations of the conflict of interest provisions of the Act regarding your client. Specifically, the complainant alleged that on July 24, 2008, as a Governing Board Member of the Tahoe Regional Planning Agency (TRPA), your client voted to reconsider the TRPA Governing Board's denial of the Kings Beach Commercial Core Improvement Project Hybrid 3-Lane Alternative. Additionally, your client allegedly owned real property on a roadway which was predicted would be used by people during peak traffic times as an alternative route through Kings Beach both during and after construction of the project. At the time of this decision, your client was also a member of the Placer County Planning Commission.

Based on our review and investigation, we determined that your client 1) was not a public official under the Act as a Governing Board Member of the TRPA because the TRPA is a bi-state agency which was created by the U.S. Congress, the TRPA Compact includes its own conflicts of interests provisions, and the TRPA Compact does not allow for the state of California to impose its laws upon the TRPA Governing Board Members; 2) did not make or participate in making a governmental decision in his office as a Planning Commissioner because he was not acting within the authority of his office as a

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<sup>1</sup>The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

Planning Commissioner when making or participating in making decisions on the TRPA; and 3) was not attempting to influence a governmental decision in his office as a Planning Commissioner because he did not purport to act on behalf of the Placer County Planning Commission when discussing the motion to reconsider the TRPA Governing Board's decision regarding the Kings Beach Commercial Core Improvement Project Hybrid 3-Lane Alternative on July 24, 2008.

As such, there is no basis for a conflict of interest violation under Section 87100 of the Act. Therefore, our file in this matter has been closed.

If you have any questions regarding this matter, please feel free to contact me at 916-322-5771.

Sincerely,

REDACTED

Angela J. Bregeton  
Senior Commission Counsel  
Enforcement Division